

South Carolina Department of Health and Environmental Control
Office of Ocean and Coastal Resource Management
927 Shine Avenue
Myrtle Beach, South Carolina 29577

and

Charleston District, Army Corps of Engineers
1949 Industrial Park Road, Room 140
Conway, South Carolina 29526

August 25, 2015
Joint Permit Application Public Notice

Ken Mincey, 2015-00966-3IY

The Department has received an application for a permit for the alteration of a critical area. The application was submitted pursuant to the Coastal Zone Management Act (Act 123) of 1977 South Carolina General Assembly. The application in brief, is described as follows:

LOCATION: On and adjacent to Atlantic Intracoastal Waterway at 256 Park Street, Little River, Horry County, South Carolina.
TMS: 130-12-13-004.

WORK: The work as proposed consists of making additions to an existing dock. Specifically, the applicant seeks to add a new 4' x 45' walkway, with handrails, from the existing dock leading to a new covered 12' x 12' pierhead. Floodside of the pierhead, a 3' x 25' ramp will access a new 12' x 20' covered boatlift and a new 10' x 24' floating dock. The work as described is for private, recreational use.

This public notice is being distributed to all known interested persons and agencies to assist in developing facts on which a decision by the Department can be based. Comments concerning the proposed work must be submitted in writing, setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition.

Comments regarding this application must be received by the Department on or before September 9, 2015. For more information, please contact
Tanitra Marshall at 843-238-4528 or via email at marshats@dhec.sc.gov.

NOTE: Plans depicting the proposed work are available and will be provided upon receipt of a written request or may be viewed on the Department website at
<http://www.scdhec.gov/Apps/Environment/PublicNotices>.

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107
and
THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Office of Ocean and Coastal Resource Management
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405

REGULATORY DIVISION

Refer to: P/N # [REDACTED] 2015-00966-3IY

DATE August 19, 2015

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), and the South Carolina Coastal Zone Management Act (48-39-10 et seq.), an application has been submitted to the Department of the Army and the South Carolina Department of Health and Environmental Control by

Kenneth Mincey
c/o Beam & Associates
Dr. H. Wayne Beam
PO Box 3238
North Myrtle Beach, SC 29582

for additions to an existing private use dock in the

ATLANTIC INTRACOASTAL WATERWAY

at 256 Park Street, Little River, Horry County, South Carolina (Latitude: 33.85662°N; Longitude: -78.65058°W / USGS-Wampee Quad).

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by the **Corps** until

15 Days from the Date of this Notice,

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of additions to an existing private use dock. In detail the project consists of the addition of a 4' x 45' walkway connecting a 12' x 12' covered pierhead to an existing structure. A 10' x 24' floating dock will be attached to the walkway by a 3' x 25' ramp. Finally, a 12' x 20' covered boat lift will be situated between the covered pierhead and floating

DATE August 19, 2015

dock. The applicant stated that normal and customary practices, which include best management practices to minimize erosion and sediment migration, litter receptacles, and necessary measures to prevent oil, tar, debris, and other pollutants from entering Waters of the United States, would be employed by the contractor during construction. Furthermore the applicant stated that construction activities would avoid, to the maximum extent practicable, encroachment into any areas not designated as impact areas. The applicant offered no mitigation for the project. The project purpose is recreational access.

NOTE: This public notice and associated plans are available on the Corps' website at: <http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices> . For those unable to access the website, a copy of this notice and the associated plans will be provided, upon receipt of a written request. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided. Your request should be addressed to the

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
1949 Industrial Park Road, Room 140
Conway, South Carolina 29526**

The work shown on this application must also be certified as consistent with applicable provisions of the Coastal Zone Management Program (15 CFR 930). This activity may also require evaluation for compliance with the S. C. Construction in Navigable Waters Permit Program. State review, permitting and certification is conducted by the S. C. Department of Health and Environmental Control. The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact 0.018 acres of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the shrimp, and snapper-grouper management complexes. The District Engineer's initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). The District Engineer's final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Pursuant to the Section 7 of the Endangered Species Act of 1973 (as amended), the Corps has reviewed the project area, examined all information provided by the applicant, and the District Engineer has determined that the project is not likely to adversely affect any Federally endangered, threatened, or proposed species or result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request for written concurrence from the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service on this determination.

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

DATE August 19, 2015

In accordance with Section 106 of the NHPA, the District Engineer has consulted South Carolina ArchSite (GIS), for the presence or absence of historic properties (as defined in 36 C.F.R. 800.16)(f)(1)), and has initially determined that no historic properties are present; therefore, there will be no effect on historic properties. To ensure that other historic properties that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office and any other interested parties to provide any information they may have with regard to historic properties. This public notice serves as a request for concurrence within 30 days from the SHPO (and/or Tribal Historic Preservation Officer).

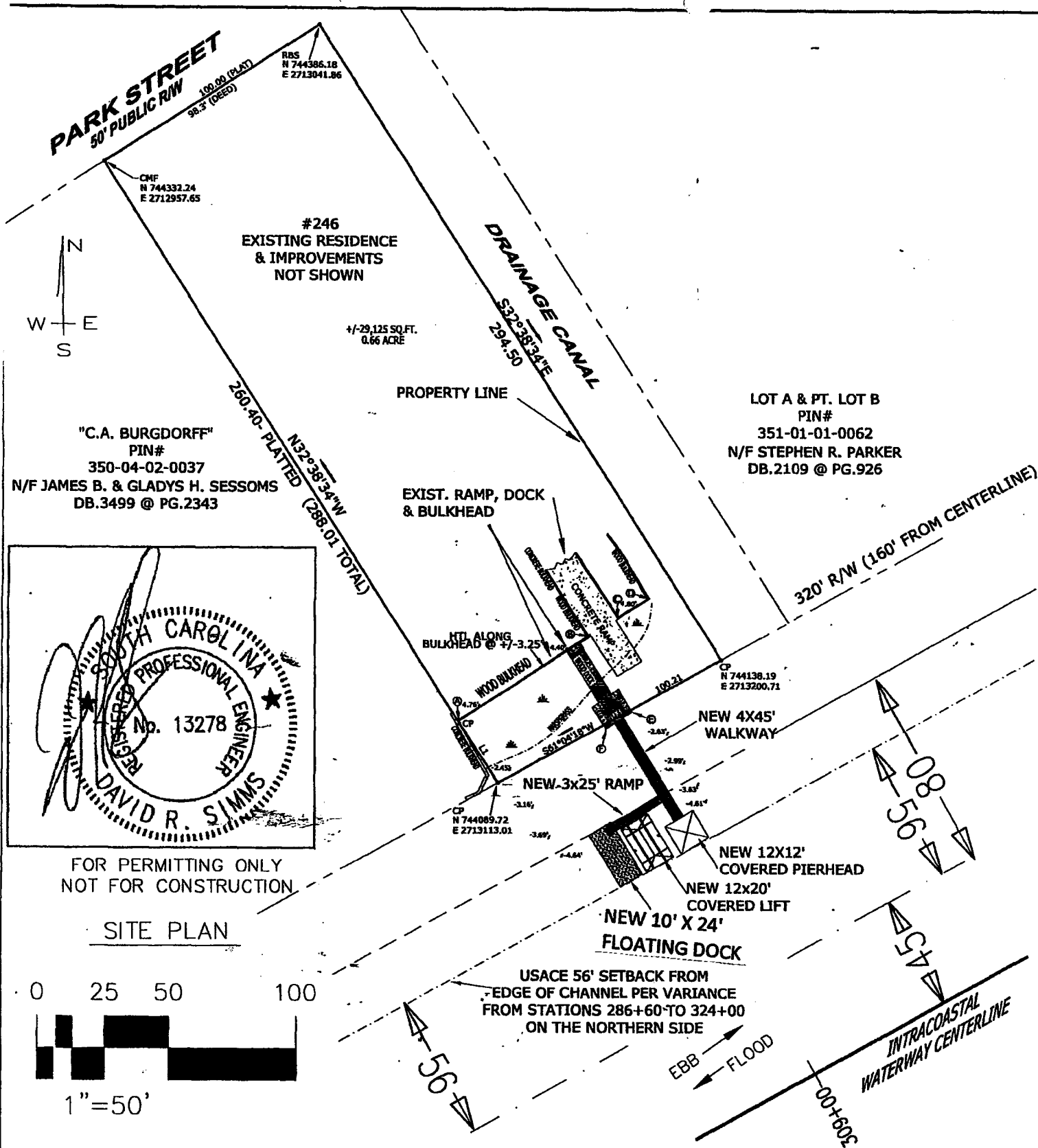
The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-identified permit area.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps cannot undertake to adjudicate rival claims.

The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact **T. Brian Hardee** at 843-329-8044 or toll free at 1-866-329-8187.



APPLICANT: **DR. KEN MINCEY**

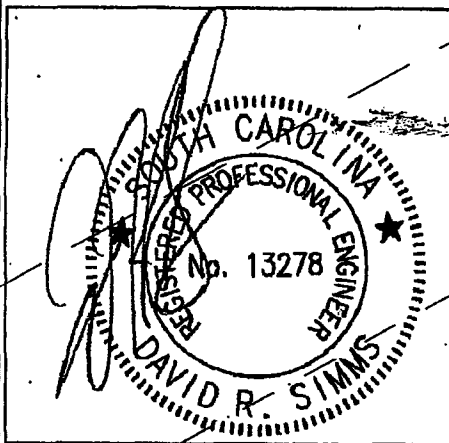
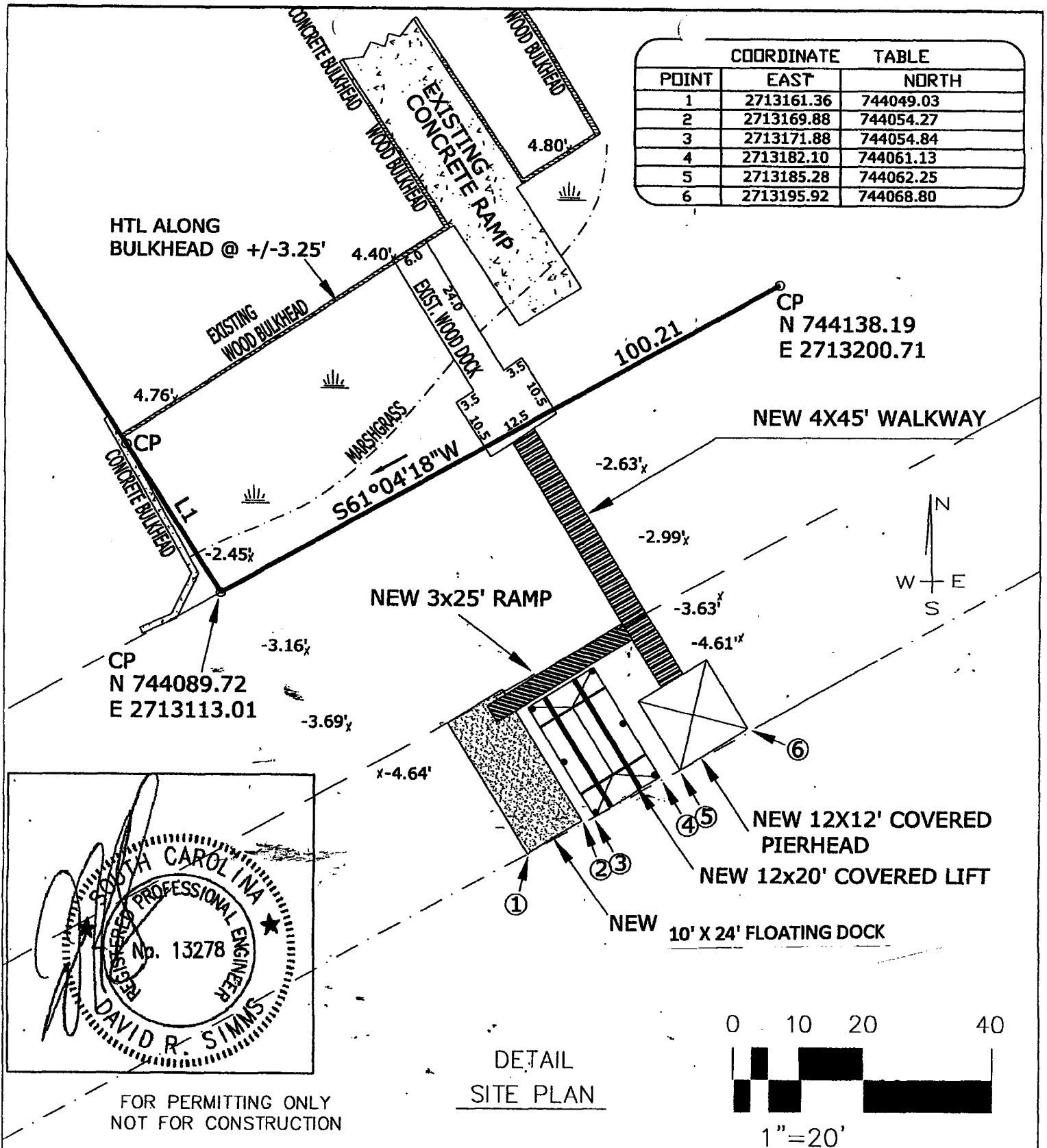
ACTIVITY:
Construct Walkway, Pier Head
Ramp, Floating Dock & Lift
P/N#

LOCATION:

Intracoastal Waterway
North Myrtle Beach
COUNTY: Horry
DATE: 7/15/2015

SHEET 2 OF 6

COORDINATE TABLE		
POINT	EAST	NORTH
1	2713161.36	744049.03
2	2713169.88	744054.27
3	2713171.88	744054.84
4	2713182.10	744061.13
5	2713185.28	744062.25
6	2713195.92	744068.80



APPLICANT: **DR. KEN MINCEY**

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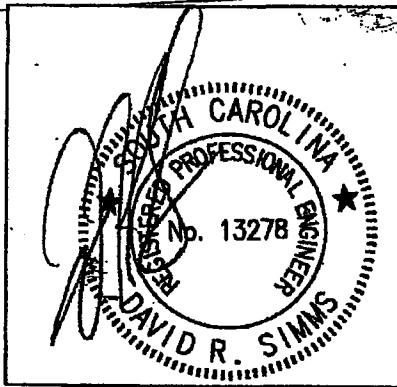
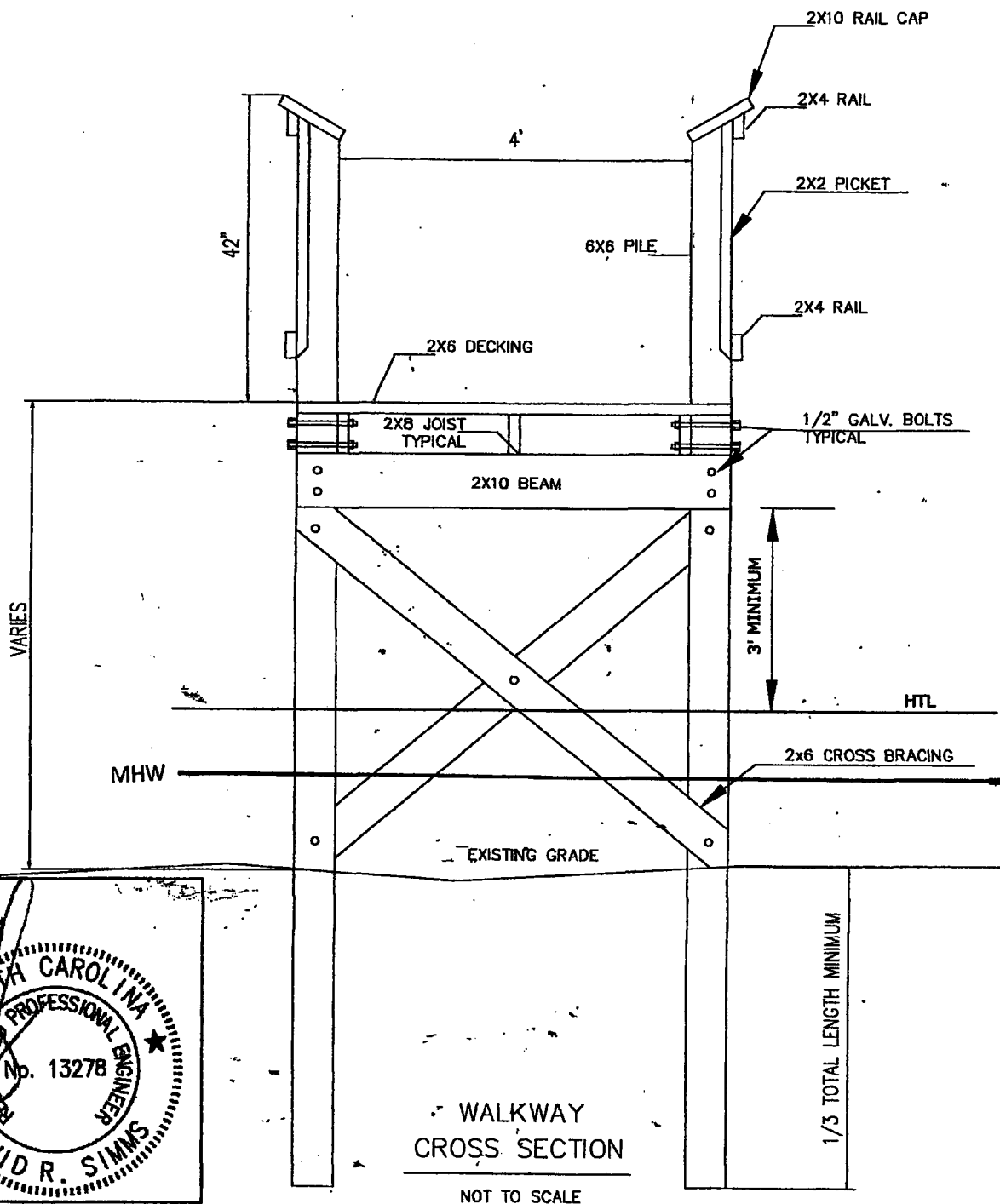
LOCATION:

Intracoastal Waterway
North Myrtle Beach

COUNTY: Horry

DATE: 7/15/2015

SHEET 3 OF 6



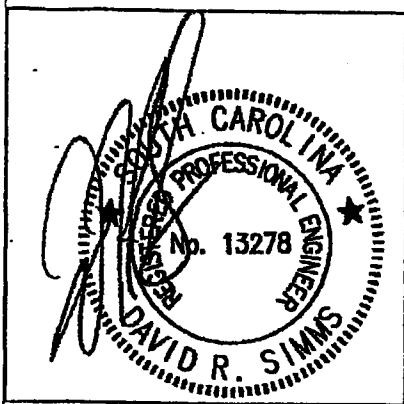
FOR PERMITTING ONLY
NOT FOR CONSTRUCTION

APPLICANT:
DR. KEN MINCEY

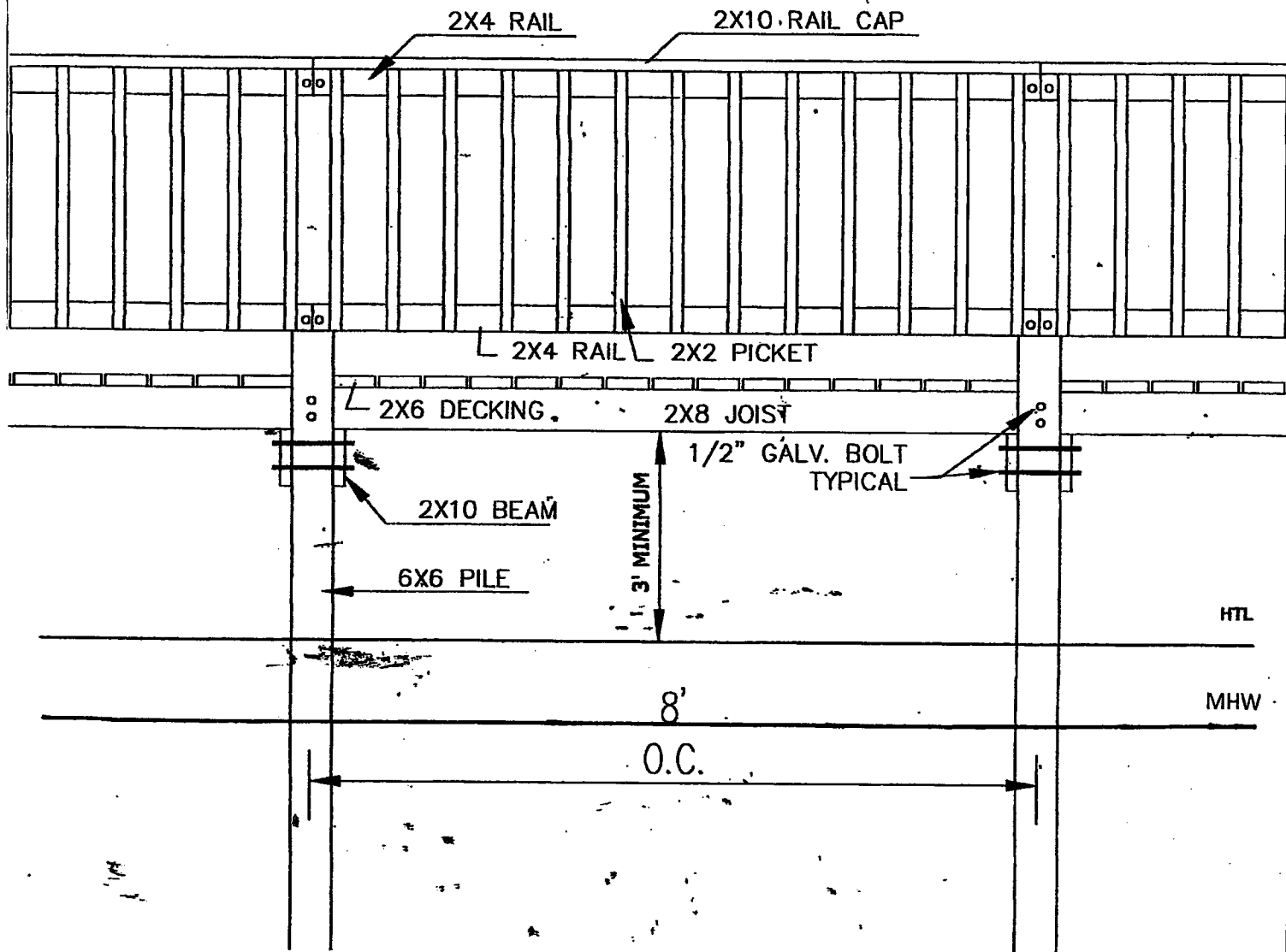
ACTIVITY:
Construct Walkway, Pier Head
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P/N#

LOCATION:
Intracoastal Waterway
North Myrtle Beach
COUNTY: Horry
DATE: 7/15/2015

SHEET 4 of 6



FOR PERMITTING ONLY
NOT FOR CONSTRUCTION



WALKWAY ELEVATION

NOT TO SCALE

APPLICANT: **DR. KEN MINCEY**

ACTIVITY:
Construct Walkway, Pier Head
Ramp, Floating Dock & Lift
P/N#

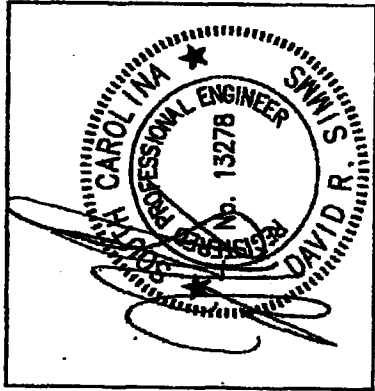
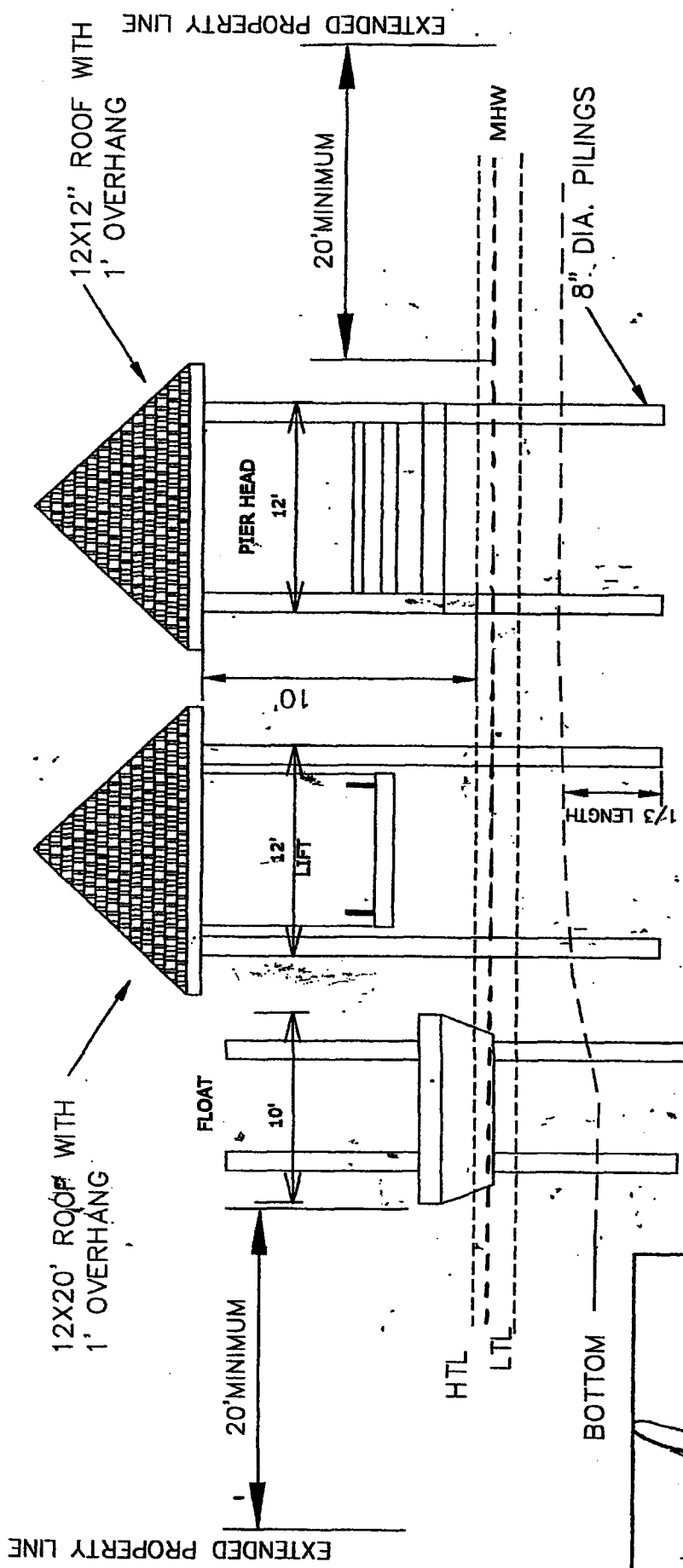
LOCATION:

Intracoastal Waterway
North Myrtle Beach

COUNTY: Horry

DATE: 7/15/2015

SHEET 5 of 6



SECTION - FLOAT/LIFT/PIERHEAD

FOR PERMITTING ONLY
NOT FOR CONSTRUCTION

INTS

APPLICANT: DR. KEN MINCEY

ACTIVITY: Construct Walkway, Pier Head
Ramp, Floating Dock & Lift

P/N#

LOCATION: Intracoastal Waterway
North Myrtle Beach

COUNTY: Horry
DATE: 7/15/2015